

Ministear airson Òigridh agus Clann
Minister for Children and Young People
Aileen Chaimbeul BPA
Aileen Campbell MSP



F/T: 0845 774 1741
E: scottish.ministers@scotland.gsi.gov.uk

David Stewart MSP
Convener of the Public Petitions Committee
Room T3.40
The Scottish Parliament
EDINBURGH
EH99 1SP



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Dear David,

Thank you for your letter of 14 November 2012 following the Public Petitions Committee's consideration on 30 October of petition 1367: "Ban Mosquito Devices Now".

I can see that the Committee has given this issue extensive consideration over what now amounts to more than two years. There have been many strong views expressed and a notable success achieved by the Committee with the manufacturer of the device agreeing to include a warning sign with any devices shipped to Scotland, for where mosquitoes are being used. I believe that is a significant achievement and, like my colleague Roseanna Cunningham, congratulate the Committee and the petitioner on that success.

Fergus Ewing, when he appeared before the Committee on 8 March 2011 said "the Scottish Government does not support and has never supported the use of the devices". Roseanna Cunningham further confirmed this view when she gave evidence to the committee on 30 October 2012. I would wholeheartedly agree with my colleagues in this regard.

Roseanna Cunningham outlined to the Committee that in order to legislate on a matter there needs to be a policy justification based on sound evidence which would be scrutinised during the Parliamentary process. That justification might also need to stand up to scrutiny from the courts and others, should any challenge be made. However, there remains little indication that there is a widespread problem through use of the device and there do not appear to be any identified long term health risks. For these reasons, it would be difficult to justify a legislative solution.

I would further re-iterate what Roseanna Cunningham said on 30 October that if any group of people is being seriously impacted on by any activity, it can bring it to Government and Parliament. We will always look carefully at the evidence and consider whether legislation is appropriate.

I thank the Committee for bringing this matter to my attention, and for its considerable efforts and successes in raising awareness and gathering views on the use of the mosquito device.

Yours sincerely

AILEEN CAMPBELL